United Nations S/2013/139*

Security Council

Distr.: General
8 March 2013

Original: English

Report of the Secretary-General on the United Nations Stabilization Mission in Haiti

I. Introduction

1. By its resolution 2070 (2012), the Security Council extended the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH) until 15 October 2013 and requested me to report on its implementation semi-annually and not later than 45 days prior to its expiration. The present report covers major developments from the issuance of my report of 31 August 2012 (S/2012/678) until 12 March 2013 and outlines activities undertaken by the Mission in line with its mandate under Council resolutions 1542 (2004), 1608 (2005), 1702 (2006), 1743 (2007), 1780 (2007), 1840 (2008), 1892 (2009), 1908 (2010), 1927 (2010), 1944 (2010), 2012 (2011) and 2070 (2012).

II. Political and security update

Political situation

2. The period under review posed numerous challenges to the stabilization process in Haiti. The country suffered extensive damage following the passage of Hurricane Sandy late in October, in addition to widespread and repeated civil unrest, mainly linked to socioeconomic grievances. Continued disagreements between the executive branch and opposition parliamentarians contributed to quasi-paralysis at the political level. Consequently, advances in the strengthening of rule of law institutions, the adoption of key legislation and the establishment of the Electoral Council mandated to organize long-overdue elections did not materialize.

3. The President of Haiti, Michel Joseph Martelly, succeeded in forming a pro-Government majority grouping of at least 60 deputies in the Chamber of Deputies, Parlementaires pour la stabilité et le progrès, a goal that had hitherto eluded him. On 16 January 2013, the leader of this majority group, Jean Tholbert Alexis (Ansanm Nou Fo, West Department), was elected as President of the Chamber of Deputies, while Simon Dieuseul Desras (Lavni, Centre Department) was re-elected as President of the Senate. On 21 January, the Prime Minister, Laurent Salvador Lamothe, announced the second partial reshuffling of the Cabinet in five months.

* Reissued for technical reasons on 13 March 2013.

Please recycle

4. The creation of a pro-Government parliamentary bloc notwithstanding, relations between the executive branch and Parliament remained strained. On 13 December, the Government came under pressure from the Senate when the Prime Minister announced that he was not prepared to report on the allocation of funds disbursed within the framework of the state of emergency. Furthermore, the 20-member strong minority opposition bloc within the Chamber of Deputies, Parlementaires pour le renforcement institutionnel, denounced the Government's handling of the socioeconomic situation and, in particular, criticized the Office of the Prime Minister for allegedly favouring pro-Government deputies in the disbursement of public funds allocated to the communes under the 2011/12 budget. In protest, on 14 January, these parliamentarians obstructed the Prime Minister's presentation at the opening session of the National Assembly, causing him to leave the Chamber.

5. The period also witnessed protracted disagreements over the establishment of an electoral council. The President's establishment by decree of a six-member permanent electoral council in July 2012 with members designated by the executive and the judiciary was widely considered illegitimate. The Constitution provides for a nine-member electoral body, including three members designated by Parliament. Compounded by the end of the term of office of 10 of the 30 senators on 8 May 2012, the inability of the Senate to reach the constitutionally required two-thirds majority to designate the three representatives resulted in a stalemate between the executive branch and Parliament.

6. Early in November, against the backdrop of mounting criticism of the President's handling of this process, the executive branch initiated negotiations with Parliament, mediated by the religious coalition Religions pour la paix. These negotiations resulted in an agreement on 24 December to proceed with the establishment of a temporary electoral council. Under that agreement, nine members representing the three branches of government would have a time-bound mandate to organize the forthcoming partial legislative, municipal and local elections, after which a permanent electoral council would be established.

7. This breakthrough notwithstanding, the momentum generated by the agreement stalled in the following two months. The three branches of government did not succeed in finalizing the appointment and installation of the nine members of the temporary electoral council. Faced with increasing national and international pressure, renewed efforts were made late in February to honour the agreement, but the council had yet to be established by the end of the reporting period.

8. As that stalemate persisted, allegations of anti-democratic practices were levelled against the executive branch by a number of opposition parliamentarians, political parties such as Organisation du peuple en lutte, civil society groups such as the National Human Rights Defense Network and representatives of the media such as the Association of Haitian Journalists. These criticisms cited alleged politicization of State institutions such as the judiciary and the Haitian National Police, in addition to repression of freedom of expression, following a controversial statement issued by the Minister of Justice and Public Security during the carnival celebrations, in which he warned against defamation.

Security assessment

9. The overall security situation throughout the reporting period remained relatively stable, although it was marked by an increase in civil unrest and major crimes. Frequent anti-Government demonstrations occurred in protest at the Administration's perceived inability to tackle lawlessness, the high cost of living and food insecurity and meet demands for the delivery of basic services. From August to October 2012, the number of demonstrations held per month tripled from 22 to 64, before decreasing in November and December. Areas particularly affected by demonstrations, some of which were violent, included Cap Haïtien (North Department), Jacmel (South-East Department) and Jérémie (Grand-Anse Department).

10. Crime statistics collected by the national police and MINUSTAH showed an upward trend in homicides, with a monthly average of 79 homicides from September to December 2012, up from 60 during the same period in 2011. Moreover, there was a 13 per cent increase in the total number of homicides reported in 2012 (1,033 cases). A major factor explaining this rise is the recurrence of clashes between gangs, some of which appear to be instigated by political actors. Violence and gang activity continued to be concentrated in major urban centres, with approximately 75 per cent of homicides in 2012 taking place in the metropolitan area of Port-au-Prince. There was also an increase in the number of kidnappings, with a monthly average of 18, compared with 12 during the same period in 2011. The average monthly number of reported rapes rose to 40 from 33 in the same period in 2011.

11. While there was no further reappearance of former armed forces elements during the reporting period, instances of local authorities employing armed elements for their own personal security or to control particular locations were observed, notably in Les Cayes (South Department), Cité Soleil (West Department) and Ouanaminthe (North-East Department).

12. Although the performance of the national police has continued to improve, the force is not yet in a position to assume full responsibility for the provision of internal security throughout the country. In this context, MINUSTAH continued to play a vital role in maintaining overall security and stability. In concert with the national police, the Mission maintained its military and police presence in violence-prone areas and in certain camps for internally displaced persons. From September to December 2012, the military and police components carried out 12,214 joint patrols with the national police in Port-au-Prince and its vicinity and 20,541 joint patrols in the rest of the country.

III. Humanitarian, recovery and economic update

13. Significant strides were made in 2012 regarding the resettlement of persons displaced by the 2010 earthquake. According to the International Organization for Migration, some 347,000 internally displaced persons were living in 450 sites in January 2013. This brings the total number of displaced persons who left the camps between 2010 and early 2013 to 1,178,000, an overall reduction of 77 per cent, which can largely be attributed to the return programmes launched by the Government with the support of the United Nations and other humanitarian partners. Among the population remaining in the camps, 84 per cent are persons displaced by the earthquake. Many continue to depend on assistance for their basic survival.

Living conditions in the camps continued to deteriorate. In October 2012, open-air defecation was visible in 42 per cent of camps, compared with 37 per cent in August 2012 and 34 per cent in October 2011, while chlorinated water was provided at only 35 per cent of community water supply points, compared with 49 per cent in August 2012 and 66 per cent in October 2011. There are currently an estimated 72 camp residents per functional latrine against internationally accepted standards indicating a maximum of 50. This reduction in basic service provision in the camps is largely due to the departure of many humanitarian partners because of diminishing availability of funds. The 2012 consolidated appeal concluded the year at 46 per cent of its funding level, with the number of international non-governmental organizations present in Haiti declining by 57 per cent since 2010.

14. Haiti continued to face significant humanitarian challenges and deteriorating food security. Drought conditions, combined with the effects of Hurricane Sandy and Tropical Storm Isaac, left 2.1 million people at risk and increased the possibility of a nutrition crisis. To mobilize the resources necessary to respond to the most pressing needs, the United Nations and humanitarian actors supported the Government in issuing an emergency appeal for an additional $39 million in October 2012. Donors responded rapidly by mobilizing 46 per cent of the requested funds within two weeks. In consultation with national authorities, United Nations and humanitarian actors in the country further developed a humanitarian action plan for 2013, focusing on food insecurity and cholera, requiring an estimated $144 million.

15. The Administration initiated measures to respond to grievances linked to the increased cost of living and food insecurity in the aftermath of damage caused to the country's agriculture by Hurricane Sandy. They included the issuance on 5 November of a presidential decree instituting a state of emergency, which allowed accelerated disbursement of public funds. The President also announced agricultural production and environmental protection as government priorities in 2013 in order to improve food self-sufficiency and mitigate the impact of future natural disasters.

16. In December 2012, the International Monetary Fund assessed the macroeconomic situation in Haiti as stable, while noting that economic growth in the fiscal year 2012 was estimated at just 2.5 per cent, below the target of 4.5 per cent. Growth was stymied in 2012 not only by the combined impact of drought, Tropical Storm Isaac and Hurricane Sandy, but also by delayed reconstruction efforts and poor implementation of public capital spending. Mainly as a result of higher food prices, annual inflation rose from 6.5 per cent in September 2012 to 7.5 per cent in November 2012. Revenue collection from taxes and Customs duties in the fiscal year 2012 was below the budget targets, standing at $1.7 billion (G70.1 billion). The 2012/13 budget increased by 8.7 per cent compared with the prior year, for a total of $3.2 billion (G131 billion). Not all the Government's declared priority areas (agriculture, education, rule of law, energy, environment and employment) received budget increases. While a 2 per cent increase was allocated to the Ministry of Agriculture, Natural Resources and Rural Development (7.5 per cent of the total budget), the Ministry of National Education and Vocational Training saw a 2 per cent decline (14.7 per cent of the total budget), commitments made to universal education and a 10 per cent increase in teachers' salaries notwithstanding. The Ministry of Justice and Public Security received 5.76 per cent of the total budget, 83 per cent of which was earmarked for the national police.

IV. Activities of the Mission

Support for the political process

17. My Special Representative engaged intensively with Haitian political decision makers to advocate progress on critical processes such as the launch of the electoral calendar and the elaboration of a consensual legislative agenda for 2013. With regard to the elections, my Special Representative made a number of proposals to the President, the presidents of the Senate and the Chamber of Deputies and the Superior Council of the Judiciary to assist in finalizing appointments to the Electoral Council. MINUSTAH also closely cooperated with the country's international partners, including the diplomatic corps in Port-au-Prince, to create momentum around the Government's key priorities. MINUSTAH is currently holding a series of discussions with the Government to establish working groups focused on the Mission's core mandated activities under its consolidation plan.

Support for the forthcoming elections

18. Delays in the establishment of the Electoral Council and recent disruptive staffing changes of its civil servants notwithstanding, MINUSTAH and the United Nations Development Programme (UNDP) provided substantial support to the administration of the electoral body and maintained operational preparedness for the holding of elections. MINUSTAH and UNDP were able to support the elaboration of amendments to the draft electoral law. At the technical level, MINUSTAH continued to engage in training Electoral Council staff in communications and geographic information technologies, strengthening the capacity of the voter registry (together with UNDP) and providing expert advice to a government working group on electoral boundary delimitation.

Military

19. During the reporting period, the military component of MINUSTAH continued to fulfil its primary mission of maintaining a secure and stable environment, in addition to enabling the delivery of humanitarian assistance and preparing for disaster response. Several security operations were conducted in accordance with the established procedure, whereby operations are led by the national police with support from the United Nations police and the military component. These operations included Checkmate I and II in September 2012, which focused on disrupting gang activities in the Santo and Croix des Bouquets areas (West Department). Other operations conducted in September, October and November targeted gang activity in the Bel-Air and Delmas 2 areas of Port-au-Prince (West Department). In November, two operations took place aimed at reducing criminal activities in Simon Pelé, Boston and the Cité aux Cayes areas of Port-au-Prince. In December, two further operations were conducted in the South Department, where there is no longer a permanent MINUSTAH military presence.

20. In addition to providing extensive engineering support to the Mission, the MINUSTAH military engineering companies supported a wide range of government recovery priorities aimed at improving living and security conditions for the population, which included road repair, well-drilling, drainage and canal cleaning, water distribution and the erection of prefabricated units.

21. The withdrawal of the MINUSTAH military component from the four lower security risk departments (Grand-Anse, Nippes, North-West and South) allowed for the reduction of the military footprint without significantly affecting overall security and stability. Riots in Jérémie (Grand-Anse Department) late in November 2012 and in January 2013, however, underscored the need for MINUSTAH to continue to be able to airlift a quick reaction force to remote areas in support of the national police.

Police

22. On 31 August 2012, the Superior Council of the Haitian National Police took the long-awaited decision to adopt the 2012-2016 national police development plan. On 12 September, the former head of the central directorate of the judicial police, Godson Orélus, was appointed as the new Director General of the national police. These events were followed by several meetings of the Superior Council with the Government, international partners and MINUSTAH to discuss the implementation of the development plan. The important contributions by bilateral partners to police development notwithstanding, funding remains insufficient for all targets of the plan to be achieved. At a minimum, the share of the government budget allocated to the national police will have to increase in order to cover the salaries of the growing force. The generous assistance of the international community will remain critical to enabling the national police to meet major benchmarks by 2016.

23. During the reporting period, the national police achieved significant results in fighting crime, arresting 55 suspected kidnappers and accomplices and at least 58 suspects wanted for drug trafficking and prison evasion. This improvement in performance is partly attributable to support provided by MINUSTAH forces in the prevention of and efforts to combat violence and crime, including enhanced sharing of information with the national police and increased joint operations.

24. To reach the objective of increasing the number of active police officers from the current 10,181 to a minimum of 15,000 by 2016, the national police will have to significantly increase its intake of recruits. With the graduation of only 239 new cadets on 21 December, the twenty-third national police promotion fell far short of the minimum of 1,000 cadets required per promotion. This appears to have been due in part to the rigorousness of medical tests and the short duration and limited geographic coverage of recruitment campaigns. The national police is working closely with MINUSTAH to tackle these issues and ensure that the twenty-fourth promotion, scheduled to begin by March 2013, comprises at least 1,000 cadets. Already, the twenty-fourth promotion recruitment campaign has seen the number of applicants registering for admission exams more than double compared with the twenty-third promotion.

25. Joint certification and vetting activities by the national police and MINUSTAH continued nationwide. For the first time since the beginning of the vetting process, a critical milestone was reached with the decision by the Minister of Justice and Public Security to dismiss 79 vetted officers. Acting on the recommendation of the Director General of the national police, MINUSTAH and the national police jointly conducted initial background checks as part of the screening process of Police School applicants. In addition, efforts are under way to certify the first group of some 3,500 current police officers whose cases have been fully reviewed and who have been found fit to serve.

26. Progress in the development of an oversight capacity within the national police has fallen short of expectations. On 21 January 2013, the Minister of Justice and Public Security unexpectedly replaced the Inspector General, Abner Vilmé, after nine months in service. Before his dismissal, he had successfully conducted several inquiries into allegations of human rights violations by police officers and had recommended the dismissal of several officers. The Director General of the national police and the Minister of Justice and Public Security have to date failed to act upon his recommendations, however. That the Inspector General remains under the authority of the Director General and has been replaced three times over the past 12 months raises questions about the independence and effectiveness of the oversight body. Furthermore, the Inspectorate General struggles with insufficient personnel, compounded by a shortage of equipment, specialized training and financial resources. The newly appointed Inspector General has, however, pledged to build an independent and strong institution. Meanwhile, MINUSTAH and the national police have jointly developed human rights modules that have been integrated into the basic training curriculum for police cadets.

Protection of vulnerable groups

27. The Mission's military and police components maintained their presence in camps for the internally displaced and in fragile, urban communities prone to crime where women are vulnerable to sexual and gender-based violence. The MINUSTAH police component promoted the concept of community-oriented policing in coordination with camp committees in order to improve the protection of the population and to foster public trust in the national police. Of the remaining 450 sites for internally displaced persons, three high-risk camps have been secured by a 24-hour MINUSTAH security presence (Jean-Marie-Vincent, Pétion-Ville Club and Corail Cesselesse), while 40 additional camps have been secured through daily patrols. The remaining sites were subject to random patrols. During the reporting period, the military and police components conducted 17,677 patrols in camps for internally displaced persons in the Port-au-Prince metropolitan area.

Community violence reduction

28. Under its programme to reduce community violence, MINUSTAH continued to conduct stabilization initiatives in fragile urban communities, addressing the persistent weakness of the country's security institutions, political volatility and criminal gang activities. The Mission tackled those issues by supporting large-scale, labour-intensive environmental projects, professional skills training and income-generating activities to provide former gang members, at-risk young people and vulnerable groups with socioeconomic alternatives to crime and violence. The Mission completed 44 of 57 projects, valued at $9 million, under the 2011/12 budget. Meanwhile, 31 new projects have been initiated under the 2012/13 budget. During the reporting period, 35 labour-intensive projects on watershed management, city infrastructure and canal rehabilitation provided temporary employment to an estimated 44,000 at-risk young people. A total of 1,500 of those young people and vulnerable women attended professional skills training and received job placement and psychosocial support to facilitate their integration into the national workforce. Furthermore, in partnership with the national authorities and civil society organizations, the Mission reached an estimated 65,000 people through 70 anti-violence awareness-raising sessions.

Provision of support to State institutions

29. In 2012, the Administration replaced locally elected authorities whose term had expired in 2011 with political appointees in 129 of the country's 140 communes, leading to heightened tensions in some municipalities. Internal staffing changes within the Ministry of the Interior and Territorial Communities also jeopardized some of the progress made in capacity-building programmes. Those replacements notwithstanding, MINUSTAH continued to provide support for the implementation of the 2012/13 municipal budgets. As at 17 January, 128 of 140 municipal budgets had been analysed and validated by the Ministry.

30. In January 2013, in coordination with the Ministry of the Interior and Territorial Communities and international partners, MINUSTAH participated in a joint evaluation mission of vice-delegations and municipalities in the North and North-East Departments. This evaluation revealed that the departmental delegations and vice-delegations remained weak, lacked skilled personnel, office space and equipment, and faced mounting salary arrears. To take on those problems, the Mission is supporting the Ministry to develop a capacity-building programme aimed at improving planning and the administrative and financial management skills of the vice-delegations. Furthermore, the Mission is supporting a government-led programme to support governance and local investment through which a pilot project to revitalize the decentralization process in the North and North-East Departments will be launched.

31. The Mission continued to provide technical and logistical assistance to facilitate the adoption of the country's legislative agenda and the functioning of Parliament. The adoption of the 2013 legislative agenda scheduled for 9 January 2013 was postponed to allow more time for discussions among stakeholders. Priority bills being considered for inclusion in the agenda include those against corruption, money-laundering and financing of terrorism and those on the financing of political parties and public service. Legislative priorities also include the revision of the Criminal Code, the Criminal Procedure Code, the Civil Code, the Code of Civil Procedure and the Commercial Code.

32. In line with the programme of the Prime Minister, MINUSTAH supported the Haitian Customs Authority, under the Ministry of Economy and Finance, to strengthen management and revenue collection capacity at ports of entry. Its support included the provision of technical assistance to the Customs Authority for the development, adoption and, to date, partial implementation of a strategic plan for the rehabilitation of the Customs Surveillance Directorate (Customs police).

33. Within the framework of a joint strategy, MINUSTAH and UNDP have provided management and curriculum development assistance to the School of Magistrates to ensure adequate initial and continuing training of magistrates and clerks. The Mission embedded a staff member in the office of the head of the School to assist in developing a training implementation plan covering the period from October 2012 to March 2014 and to draft course modules on such topics as the management of crime scenes, the standardization of judicial files, juvenile justice (training for trainers), judicial ethics and gender-based violence.

Quick-impact projects

34. During the reporting period, MINUSTAH successfully implemented 133 quick-impact projects. As at the end of January 2013, an additional 74 projects were under implementation and 32 had been approved and were about to be launched. They were identified in accordance with the Mission's established priorities, in partnership with Haitian authorities and civil society. They included: containing the cholera epidemic and preventing other water-borne diseases (48 projects); enhancing safety and security in impoverished and insecure areas through the installation of public solar lighting (39 projects); creating revenue generation and livelihood opportunities for the most deprived communities (12 projects); supporting rule of law institutions and good governance (67 projects); and rehabilitating other public infrastructure and buildings (73 projects).

Justice

35. For several months following its establishment in July 2012, the Superior Council of the Judiciary was unable to focus on its mandated oversight of the judiciary because it was embroiled in controversy over the initial and procedurally flawed vote on the designation of its Electoral Council members. Those obstacles notwithstanding, MINUSTAH supported the Superior Council in the preparation of internal regulations and in the development of a process to handle complaints relating to irregularities in judicial conduct.

36. The proper functioning of the Superior Council takes on added importance in the context of a number of recent appointments of justices of the peace by the Ministry of Justice and Public Security. In many cases, appointees appear to lack the required legal qualifications and experience. Given that such appointments could undermine the legitimacy and independence of the judiciary, and have already negatively affected the functioning of courts in several departments, the Superior Council's eventual review of these cases is of critical importance. MINUSTAH has offered technical assistance to the Superior Council in handling complaints in this regard. It has also assisted the Superior Council in collecting documentation to verify the qualifications of more than 500 justices of the peace so as not to preclude their possible reappointment at the end of their current term.

37. MINUSTAH has noted that the collection of evidence for prosecution is generally unsatisfactory, hampering the ability of the judicial authorities to investigate violent acts and prosecute criminals. An unusually high number of cases rely primarily or exclusively on confessions. To improve the quality of evidence available for prosecution, MINUSTAH has funded the reconstruction of the Forensics Institute. This will make it possible to conduct autopsies and eventually also include examinations of victims of non-homicidal crimes. Nevertheless, the Ministry of Public Health and Population and the Ministry of Justice and Public Security have not yet been able to render the Institute operational. An additional concern is the prosecution of certain high-profile criminals, which has been subject to political interference. A case in point is that of Calixte Valentin, a policy adviser to the President who, although accused of murder, was conditionally released from pretrial detention. Such release, which is provided for in the Criminal Procedure Code, is very rarely applied and does not benefit the vast majority of detainees, suggesting that he was granted undue favour.

38. The leadership of the prosecutor's office in Port-au-Prince has been characterized by instability. The current Chief Prosecutor, Lucmane Delille, is the eighth person to hold the position since the President took office on 14 May 2011. He was preceded by Harrycidas Auguste, Sonel Jean-François, Félix Léger, Lionel Constant Bourgoin, Jean Renel Sénatus, Elco Saint Armand and Gérald Norgaisse. Jean Renel Sénatus has stated that he was dismissed in September 2012 owing to his refusal to comply with what he considered an illegal order from the Minister of Justice and Public Security, Jean Renel Sanon, with whom he then traded accusations of corruption.

39. In February 2013, a report on rule of law indicators in Haiti was published, following a survey carried out in September and October 2011 and consultations with national authorities. While some of the findings point to an emerging degree of public trust in the judiciary, serious deficiencies in administrative and management capacity were noted, together with a lack of resources for the justice system.

Corrections

40. MINUSTAH provided the Prison Administration with technical and capacity-building support and participated in the working group led by it. The Prison Administration finalized standard operating policies for the prison system with support from MINUSTAH and plans for their implementation in the country's 18 prisons are in progress. The new prison at Croix des Bouquets (West Department) was inaugurated on 28 October 2012. Construction projects that increased cell capacity and improved sanitation for the prisoners were completed in five additional prisons. The construction of the new Prison Administration headquarters was also completed.

41. Immediate challenges include supporting the development of the new five-year strategic management plan in a context of decreasing donor assistance. MINUSTAH is collaborating with other agencies in developing new programmes aimed at addressing the excessive use of illegal pretrial detention.

Human rights

42. The Mission continued to monitor and report on the human rights situation in Haiti and assist the Haitian authorities and civil society through capacity-building activities. On 24 September, on the occasion of his speech at the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, held in New York, the Prime Minister stressed the country's commitment to accession to and ratification of international human rights instruments, in line with the recommendations made by the Working Group on the Universal Periodic Review. On 30 November, 21 years after ratifying the International Covenant on Civil and Political Rights, Haiti submitted its very first report to the Human Rights Committee, which is responsible for monitoring the implementation of the Covenant. Some progress in building capacity and the ratification of international human rights instruments notwithstanding, key challenges and systemic deficiencies remain, in particular with regard to phenomena such as impunity, corruption, extended periods of pretrial detention, forced evictions from camps, lynching and child slavery.

43. Sexual and gender-based violence remains a concern, in particular in impoverished districts of Port-au-Prince, camps for internally displaced persons and remote areas of the country. The Mission's Human Rights Section has developed a

strategy on sexual and gender-based violence, in collaboration with the police, justice, gender and child protection components, ensuring that human rights standards and principles are integrated into the Mission's approach to sexual and gender-based violence. During the reporting period, the gender focal points of the MINUSTAH police component and the national police initiated actions to raise awareness among potential victims of sexual violence of available services and the importance of submitting their complaints to the justice system. In addition, the Mission delivered its sexual and gender-based violence training-of-trainers course to 52 instructors of the national police in September and October 2012.

Gender

44. MINUSTAH, in collaboration with the United Nations Entity for Gender Equality and the Empowerment of Women, organized dialogue sessions between Haitian women leaders and the Mission's leadership concerning priority women's issues. The priorities identified related to women's security, including preventing sexual and gender-based violence, economic empowerment and women's participation in decision-making. The Mission continued to provide support to the Ministry for the Status of Women and Women's Rights to render operational the special spaces for the reception of victims of sexual and gender-based violence established in three camps for internally displaced persons. The spaces are designed to promote the reporting of sexual violence cases and facilitate medical, psychological and legal assistance for survivors. Similar spaces were set up in five national police stations. MINUSTAH also contributed to the continuing development and finalization of the national gender policy by the Ministry.

Child protection

45. During the reporting period, MINUSTAH received reports of 162 incidents against minors, including 108 cases relating to sexual violence (83 cases of rape, 8 cases of gang rape, 10 cases of attempted rape and 7 cases of sexual assault); 11 cases of homicide; 28 cases of kidnapping; 2 cases of physical assault; and 13 cases in which children were shot and injured, frequently during shoot-outs between rival gangs or between the national police and armed gangs. From October to December, MINUSTAH also received reports about the recruitment by gangs of 35 children in Cité Soleil (West Department), to carry guns, serve as lookouts or deliver drugs. The reports were shared weekly with the national police and the Brigade for the Protection of Minors for follow-up. In addition, the Child Protection Unit of the MINUSTAH police component continued to provide mentoring to its counterpart in the national police to prevent the kidnapping of children and their trafficking at the country's land border points.

HIV/AIDS

46. During the reporting period, 11 United Nations agencies, through a joint United Nations team on AIDS, developed a joint programme to support the national AIDS programme. It comprises four strategic areas: reducing sexual transmission among key populations; preventing new infections among children; eliminating the stigma and discrimination suffered by people living with HIV; and eliminating gender inequalities and gender-based violence. The national programme, with United Nations support, has taken proactive steps to ensure improved access to treatment without loss in quality of care. In the area of governance, the Haiti

Country Coordinating Mechanism for the Global Fund to Fight AIDS, Tuberculosis and Malaria, under national leadership and with United Nations support, was successfully reorganized to improve the management of Global Fund assistance.

Conduct and discipline

47. The Conduct and Discipline Unit continued to implement the integrated strategy to prevent misconduct through training sessions for 1,965 MINUSTAH personnel. A senior delegation comprising representatives of my Special Representative, the Force Commander, the Police Commissioner, the Director of Mission Support and the Office of Public Information and Communications visited regional offices in Fort-Liberté, Cap-Haïtien, Port-de-Paix, Gonaïves, Miragoâne, Hinche and Jacmel to send a strong message to all MINUSTAH members to maintain the highest standards of conduct at all times, both inside and outside the Mission area and on-duty and off-duty.

Public information and outreach

48. During the reporting period, MINUSTAH used public information as a strategic tool to support the implementation of its mandate. Public information efforts continued through international and national media relations and regular press conferences, in addition to timely issuance of press releases and other products, including the Mission's radio, website, live streaming, social media and television productions. The Mission also used its media products for outreach on cholera prevention, disaster and hurricane season preparedness and its work to strengthen the national police and rule of law institutions. In parallel with those outreach activities, MINUSTAH organized regional workshops for women's associations and for journalists on video reporting and media ethics.

Mission support

49. MINUSTAH extended its support to the Government and the local community, in particular during and after Hurricane Sandy. It engaged in the construction or rehabilitation of several public facilities.

V. Humanitarian, recovery and development activities

Coordination between the Mission and the United Nations country team

50. During the reporting period, the finalized integrated strategic framework for 2013-2016 was signed by my Special Representative and the Minister of Planning and External Cooperation. It replaces the United Nations Development Assistance Framework and constitutes the strategic umbrella under which MINUSTAH undertakes its consolidation plan and United Nations agencies, funds and programmes elaborate their respective country programmes. The framework is fully aligned with the Haitian strategic development plan. In a similar effort to ensure coherence and maximize effectiveness, 10 joint programmes managed by the United Nations country team continued to be implemented, several of which came to an end in December 2012 and 7 of which are continuing in 2013.

51. My Deputy Special Representative and United Nations Resident Coordinator and Humanitarian Coordinator, in collaboration with UNDP and other agencies, supported the Government to develop a new aid coordination framework, which was

launched on 26 November 2012 by the Prime Minister. The Group of Twelve (the group of main donors in Haiti) also contributed to the elaboration of the framework. The mechanism succeeds the Interim Haiti Recovery Commission. Its creation marks the beginning of the transfer of development and humanitarian coordination structures to national authorities, with clusters gradually being phased out and the international community scaling down its presence.

United Nations efforts to eliminate the cholera epidemic

52. According to the Ministry of Public Health and Population, the cholera epidemic has caused the deaths of 7,964 persons. A total of 639,144 people were infected from October 2010 to 10 January 2013. Case infection rates have fallen from 25,000 per week at the height of the epidemic to a weekly average of about 2,000 cases reported until the end of 2012. The nationwide case fatality rate stands at 1.2 per cent, down from a high of 2.4 per cent in November 2010. Since mid-November 2012, however, more cases and fatalities are being reported than during the same period in 2011. The deterioration of cholera facilities and funding shortfalls to secure the payment of medical and sanitary staff ensuring hygiene in health facilities, compounded by the closure of humanitarian projects, explain this increase in the incidence of the disease. Owing to funding shortfalls, the number of cholera treatment facilities fell to 159 in November 2012 from 248 in June 2011.

53. Since the outbreak of the epidemic in October 2010, the United Nations has spent some $118 million on prevention and treatment activities in support of the Government. The United Nations system has worked to support cholera case management by establishing, upgrading and maintaining oral rehydration points and cholera treatment units and centres. On 11 December 2012, I launched an initiative for the elimination of cholera in Haiti, which aims to support a 10-year cholera elimination plan developed by the Ministry of Public Health and Population and the public water utility, with the support of the World Health Organization/Pan American Health Organization and the United Nations Children's Fund. I also appointed Paul Farmer as my Special Adviser for Community-based Medicine and Lessons from Haiti.

Office of the Special Envoy for Haiti

54. The mandate of my Special Envoy, the former President of the United States of America, William J. Clinton, and his deputy, Paul Farmer, ended on 31 January 2013. In November 2012, the Office of the Special Envoy issued an in-depth report to document the lessons learned in the delivery of aid to Haiti since the earthquake entitled "Can more aid stay in Haiti and other fragile settings?". It details how aid was invested in Haitian public, private and non-profit institutions and also compares trends in the delivery of aid in Haiti to other fragile settings. The most recent update, issued in January 2013, showed that national Governments and multilateral institutions had disbursed 56 per cent ($3.01 billion) of the $5.37 billion in recovery programme funds that they had pledged for the 2010-2012 period.

VI. Update on drawdown of military, police and civilian capabilities

55. In accordance with Security Council resolution 2070 (2012), the military and police components reduced their personnel during the reporting period. A total of 1,070 military personnel will have withdrawn by June 2013. Two engineering companies (one from Japan and one from the Republic of Korea) and an infantry company (from Argentina) withdrew during the reporting period. Two infantry companies from Brazilian Battalion II are scheduled for repatriation by June 2013. The number of MINUSTAH police officers is already below the 2013/14 authorized strength of 2,601. This includes 919 individual police officers, including 129 women, and 1,677 formed police unit personnel in 11 units, including 130 women.

56. In my previous report to the Security Council, I introduced the Mission's plan for its reconfiguration and conditions-based consolidation. I noted that the plan, which was being developed in collaboration with the United Nations country team and in consultation with the Government and international partners, entailed a narrowing of MINUSTAH activities to a core set of mandated tasks in the areas of security and stability, democratic governance and State legitimacy, and rule of law with respect for human rights. The tasks selected were those considered realistically achievable within a time frame of four to five years and deemed to be key to the consolidation of security and stability in Haiti, at which point the presence of a large peacekeeping operation would no longer be required.

57. The consolidation plan outlines a reduced number of stabilization benchmarks, largely drawn from this framework, to serve as key indicators of progress in the stabilization process. While the Mission will continue to assist the Government with the maintenance of security and political stability, the plan identifies four priority areas, for close scrutiny, which correspond to stabilization benchmarks. These benchmarks are: development of Haitian police capacity; rule of law and human rights; building of Haitian electoral capacity; and progress on key governance issues. This plan will enable MINUSTAH to operate more efficiently and guide the Mission in allocating its resources.

58. In response to the request of the Security Council in its resolution 2070 (2012), a concise, strategic version of the MINUSTAH consolidation plan is submitted in the annex to the present report.

VII. Financial aspects

59. By its resolution 66/273, the General Assembly appropriated the amount of $648,394,000 for the maintenance of MINUSTAH for the period from 1 July 2012 to 30 June 2013. As at 15 February 2013, unpaid assessed contributions to the Special Account for MINUSTAH amounted to $352 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $3,417.4 million. As at February 2013, amounts owed to troop and formed police contributors to MINUSTAH totalled $29.5 million. Reimbursements of troop and contingent-owned equipment costs have been made for the period up to 31 October 2012 and 30 September 2012, respectively, in accordance with the quarterly payment schedule.

VIII. Observations

60. Since my previous report, a stand-off among Haitian political leaders, in all branches of the Government, has led to disruptive delays in its basic functioning. Consequently, the opportunity has been missed to achieve meaningful progress in leading the country towards greater stability and prosperity. Rather than building on the important gains made during the previous reporting period, such as the publication of the constitutional amendments and the establishment of the Superior Council of the Judiciary, the country's leaders continued a highly detrimental political stalemate. Insufficient progress was made towards the holding of long-overdue elections, while important measures to strengthen key rule of law institutions, adopt critical legislation and improve socioeconomic conditions were not taken. Increased instances of civil unrest during the reporting period reflect, at least in part, a loss of patience by the Haitian electorate with the status quo, in addition to the mobilization by some political actors of gangs and, at times, the general population to commit acts of violence.

61. The Government's commitment to holding elections in 2012 was not upheld. The President has now pledged to organize elections in 2013. The holding of free and fair elections before the end of 2013 will constitute a critical opportunity for the Government to demonstrate its intent to revitalize the country's democratic institutions. I therefore urge the authorities to spare no effort in ensuring a free and fair environment for the holding of credible and inclusive elections as soon as possible.

62. As a very first step, it is of paramount importance that all branches of government finalize the appointment of their members to the temporary Electoral Council. This will enable the launch of the long-overdue electoral process. The Government's pledge to contribute nearly half of the electoral budget is welcome. It is vital that these resources be used appropriately to build the management and administrative capabilities of the electoral body. There is also a need for a consensual decision between the executive branch and Parliament on the review of the draft electoral law. At the technical level, all steps should be taken to allow the National Identification Office to develop the full operational capacity to register voters on time and provide the electoral authorities with the registration data required to establish an electoral list. The United Nations stands ready to support the upcoming elections and to work with the Haitian authorities over the coming three years to enable them progressively to assume full responsibility for the management of the electoral process by 2016.

63. To reverse the rising trend of major crime in Haiti, I urge the Government to continue to strengthen the country's rule of law institutions and to deter and prosecute those responsible for violence. Although the oversight and accountability mechanisms provided for in the Constitution have been established, implementation of their mandate has been impaired in a number of instances by contested appointments and procedural irregularities. Building strong rule of law institutions, including the police and the judiciary, requires that they be allowed to operate independently. It is critical that the Government and its international partners continue to build the capacity of those institutions and put an end to a pervasive culture of impunity that continues to hinder progress in Haiti. I also encourage the country's political actors to adopt a consensual legislative agenda that includes priority legislation and the revision of key codes to promote the rule of law and socioeconomic development.

64. I am concerned by the significant number of cases in which officials in key positions have been replaced or have seen their tenure cut short. Among other things, this has been the case in the administration of the Electoral Council, municipal councils, the judiciary and the national police, raising questions about the politicization of these institutions. Together with the frequent changes made over the past year to the Cabinet, such cases hinder the capacity-building efforts of MINUSTAH and international donors. It is also vital that the Government deliver on its commitment to transparency and accountability by improving its reporting on the use of public funds, including during the recent state of emergency.

65. Regarding the human rights situation, I remain concerned by forced evictions from camps for internally displaced persons and by the excessive use of force by the national police, not only during such evictions but also during demonstrations and anti-crime operations. Unfortunately, the follow-up by the Inspectorate General with regard to such cases has achieved only limited results. I have also noted the weakness of the overall police and judicial response to sexual and gender-based violence, which has been characterized by inadequate investigations, out-of-court settlements and various impediments to the victims' ability to appear before an investigating magistrate.

66. The strengthening of the national police remains a key prerequisite for the Mission's eventual withdrawal from Haiti. Recent steps taken by the Government to incorporate at least 1,000 cadets per promotion are encouraging and should be sustained to meet the targets of the 2012-2016 development plan. I invite the Government to tackle other key priorities, such as increasing the recruitment and deployment of women, strengthening the administrative capability and specialized capacity of the police, increasing the professionalism of the middle and senior ranks of the police and deploying police officers in the regions. In this context, I urge the Government and Member States to commit themselves to ensuring that the needed funding is made available to support a professional, reliable and accountable police force.

67. I am particularly concerned by the lack of progress in building the capacity of the judiciary in Haiti, which negatively affects the criminal justice system as a whole. I encourage the relevant national and international stakeholders to engage in a strategic dialogue towards the development of a national justice development plan, in a manner similar to that of the national police.

68. In conclusion, I should like to thank my outgoing Special Representative, Mariano Fernández, for his service in support of stabilization in Haiti. I also wish to welcome my new Special Representative ad interim, Nigel Fisher, who has assumed responsibility for the Mission during this crucial transition period. In addition, I should like to express my sincere gratitude for the work of my Special Envoy, William J. Clinton, whose term ended on 31 January 2013, and who provided unique leadership in mobilizing support and resources for the country's post-earthquake recovery. I am grateful to his deputy, Paul Farmer, who is continuing to advise me in his new capacity of Special Adviser for Community-based Medicine and Lessons from Haiti. Lastly, I should also like to thank the men and women of MINUSTAH, troop-contributing countries, police-contributing countries and the United Nations country team and their partners for their continued dedication and commitment in support of stability and development in Haiti.

Annex

Consolidation plan 2013-2016 for the United Nations Stabilization Mission in Haiti

Scope of a conditions-based consolidation plan

1. The United Nations Stabilization Mission in Haiti (MINUSTAH) consolidation plan foresees focusing Mission activities on a core set of mandated tasks achievable within a reasonable time frame (for planning purposes, envisaged as extending to the end of 2016). The Mission will progressively reduce its engagement in areas in which other international actors are better placed to achieve results, where long-term institution-building perspectives that go beyond the expected lifetime of MINUSTAH are required and/or which fall outside the core tasks defined below. MINUSTAH will also continue the process of consolidating its substantive, security and support pillars. The consolidation plan will enable MINUSTAH to operate more efficiently and cost-effectively; that is, to focus and make the most impact with reduced resources. While not an exhaustive list of the Mission's mandated activities, the areas set out below represent the aspects of the mandate considered to be most critical for enduring stability. These aspects cannot, however, be considered in isolation.

Risks and challenges

2. The Mission's role in the stabilization of Haiti, its consolidation and eventual withdrawal, are to be seen in a broader context of measures that need to be taken by the Government of Haiti and its international partners. The Mission's contributions to the stabilization of Haiti — notably the provision of security, institution-building and capacity-building in the rule of law, human rights, democratic governance and State legitimacy spheres, and its political/good offices role — are necessary, but by no means sufficient to achieve lasting stability.

3. In the Haitian context, stability not only requires security, functioning rule of law institutions and democratic governance, but also calls for a political culture conducive to building consensus on critical priorities and democratic institutions that effectively represent, and act in, the interests of the people. Furthermore, stability in Haiti will require economic growth and development with social inclusion, increased employment and assertive poverty reduction measures, including durable solutions for displaced Haitians. While MINUSTAH helps to prepare the ground for investment and growth, other complementary, far-reaching reforms and development efforts are needed, ranging from addressing property rights to public finance management reform (including revenue collection, public procurement and tendering).

4. Attaining these goals will continue to require greater commitment by the country's political and economic elite to working for the good of the country as a whole, in addition to a long-term partnership between the international community and Haiti. That partnership is reflected in the 2013-2016 integrated strategic framework jointly developed by the United Nations family and the Government. The framework captures comprehensive shared objectives for the long-term development of Haiti, including areas in which MINUSTAH will focus its efforts as it

consolidates. The Mission's planned consolidation, as set out below, is therefore premised on tangible action by the Government.

Coordination with international partners

5. Mission consolidation foresees a progressive transition of functions to national authorities, but also of provision of assistance by the Mission to international partners, both from within the United Nations family and from among other bilateral and multilateral partners. Over the coming year, MINUSTAH will engage with the Government and its international partners, in particular the United Nations country team, with the aim of agreeing on mutual undertakings required for the Mission's transition, including the development of a resource mobilization strategy to assist United Nations partners to fill resource gaps.

Core objectives

Police development

6. MINUSTAH will focus its support to augment Haitian national police capacity in four key areas:

(a) Recruitment and training of new cadets and increasing capacity of mid-level and senior-level ranks;

(b) Strengthening of the national police administrative capacities (e.g. human resources management, budget and procurement);

(c) Strengthening of specialized capacity (including corrections, community-based policing, crowd control, criminal investigations, traffic, response to sexual and gender-based violence, human rights and border management);

(d) Extension of the geographic coverage of the national police through increased deployment in the regions.

7. The police component will adjust its role and participation in operational activities in order to focus on training, institution and capacity-building, in line with the 2012-2016 national police development plan. This will require the selection of better-qualified United Nations police and civilian staff in the police component, including through the provision of specialized teams by Member States that can provide assistance in key policing tasks and build longer-term, post-MINUSTAH partnerships with the national police.

8. Key benchmarks underpinning the consolidation of the Mission's national police development efforts include:

(a) At least 1,000 additional officers per year, in order to reach a minimum strength of 15,000 officers by the end of 2016;

(b) A functioning Police School for promotions, in addition to a separate Police Academy to train mid-level and senior-level officers;

(c) Presence, by 2016, of no less than one third of national police strength in the regions beyond the greater metropolitan area of Port-au-Prince and strengthened and professional mobile crowd control capacity in all the regions;

(d) The ability of the police to effectively manage itself (including personnel, finance, logistics, asset management and procurement functions) without MINUSTAH or donor assistance;

(e) Developed critical specialized capacity (including criminal investigations, operational capacity, border policing, coast guard functions and corrections);

(f) Increased proportion of the State budget allocated to the national police, as provided for in the development plan.

Electoral capacity-building

9. Over the course of the forthcoming electoral cycles, MINUSTAH plans to progressively strengthen the capacity of the Haitian electoral authority to assume full responsibility for, and national ownership of, the organization and conduct of elections. This would enable MINUSTAH to contemplate a phased reduction of its technical assistance and of its provision of support to security and logistical operations. The Mission's objective in the field of electoral support is to create the conditions that will facilitate disengagement from electoral assistance following the next presidential elections, which are due in 2015.

10. To effectively attain this goal, a sustainable electoral system functioning with significantly reduced international support needs to be developed. A number of important benchmarks are foreseen in order to achieve a successful handover of functions. These include:

(a) Adherence to constitutional timelines for the holding of elections;

(b) Establishment of the Permanent Electoral Council through a credible and transparent process and its functioning in an independent and transparent manner, free of interference;

(c) Increased participation of the State in the financing of electoral operations;

(d) Haitian authorities progressively assuming full responsibility for electoral logistics operations;

(e) Haitian authorities progressively assuming full responsibility for electoral security.

Rule of law and human rights

11. MINUSTAH will focus its activities in the rule of law and human rights areas on three aspects critical to the development of a culture of rule of law and the protection of human rights:

(a) The establishment or strengthening of functioning, basic accountability and oversight mechanisms (including the Superior Council of the Judiciary, the Superior Court of Auditors and Administrative Disputes, the Office of the Ombudsperson, the Inspectorate General of the national police and the Anti-Corruption Unit);

(b) Assistance to government structures in key domains (e.g. human rights, prison administration, border management and the School of Magistrates);

(c) Crucial legislative reform.

12. Key benchmarks for the consolidation of the MINUSTAH rule of law activities include:

(a) Superior Council of the Judiciary rendered functional (adopts and applies internal regulations; a State-funded budget is put in place to permit its full functionality; it is responsible for decisions and measures to strengthen the independence, professionalism and efficiency of the judiciary; and it is able to increase the number of women in the judiciary);

(b) Greater capacity of the Superior Court of Auditors and Administrative Disputes to handle an increased caseload;

(c) Office of the Ombudsperson operational and adequately funded through the State budget;

(d) Vetting process completed for all national police officers;

(e) Inspectorate General of the national police fully operational with the ability to handle internal cases of misconduct and crimes committed by police officers;

(f) Measurable progress achieved by the Anti-Corruption Unit in handling its caseload;

(g) Adoption and subsequent application of revised criminal and criminal procedure codes.

Key governance issues

13. MINUSTAH will focus its governance activities on strengthening the capacity of State institutions at the central and local levels by:

(a) Helping to build consensus between the executive and Parliament around a minimum political pact on the holding of elections and the adoption of a legislative agenda that includes the priority laws, drawing on collaboration with political parties, the private sector and civil society;

(b) Strengthening local institutions to perform key government administration functions with a focus on fiscal management and service delivery;

(c) Providing support to key policy reforms.

14. MINUSTAH will build the capacity of local and municipal officials and key administrative staff in identified jurisdictions to ensure implementation of basic administrative and financial procedures. As local authorities increase their management capacity, MINUSTAH will gradually phase out its support.

15. Key benchmarks for the consolidation of the Mission's activities in support of democratic governance include:

(a) Progress achieved on dialogue among key national stakeholders on priorities promoting democratic freedoms and institutional reform;

(b) Municipal and departmental authorities implement basic administrative and financial procedures;

(c) Advances are made in the constitutional reform process.

Conclusion

16. The focusing of MINUSTAH activities over the next three to four years on the core objectives set out above, together with its continuing geographic consolidation, will allow for further progressive reductions of the Mission's uniformed and civilian strength.

17. Assuming that the security situation remains broadly within current parameters, that national police training and deployment to the regions will occur as provided for in the development plan and that the State's ability to make electoral logistical arrangements and provide security improves, the Mission's uniformed strength could be reduced by approximately 30 per cent ahead of the planned presidential elections in 2015.

18. As a result of those reductions, MINUSTAH will adopt a more focused and selective security posture, in support of the operational activities of the national police, centred on critical geographic areas and tasks. Support for such geographical realignment will require efficient, affordable and flexible means of mobility.